

FILED OCT 25 11 12 AM '05

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

FRED QUIMBY, JONATHAN QUIMBY,)
JOSHUA QUIMBY, JASON QUIMBY,)
and RHONDA McSHAN,)

Plaintiffs,)

vs.)

FRANCISCO J. YRAGUEN, and)
PATRICIA SULLIVAN,)

Defendants.)

Case No. 05-312-AS

ORDER

Fred Quimby
Jonathan Quimby
Joshua Quimby
Jason Quimby
Rhonda McShan
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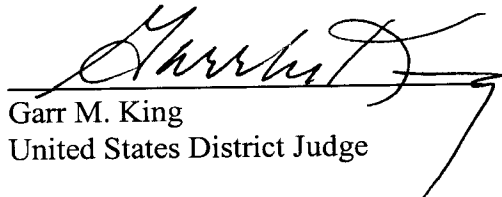
KING, Judge:

The Honorable Donald Ashmanskas, United States Magistrate Judge, filed Findings and Recommendation on July 7, 2005, and referred them to me on October 18, 2005. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Lorin Corp. v. Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983); See also Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Ashmanskas's Findings and Recommendation (#14).

IT IS HEREBY ORDERED that Defendant's Motion to Dismiss (#7) is granted, and Plaintiff's Complaint is dismissed with prejudice.

Dated this 25th day of October, 2005.


Garr M. King
United States District Judge